

Remarks/Arguments

Claims 1-9 are pending in this application, and are rejected in the Office Action of April 12, 2011. No claim amendments are presented herein. However, a listing of the pending claims in the application accompanies this response for the Examiner's convenience.

Re: Patentability of Claims 1-9 under 35 U.S.C. §103(a)

Claims 1-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,260,823 issued to Schlack et al. (hereinafter, "Schlack") in view of U.S. Patent No. 7,333,712 issued to Jeannin et al. (hereinafter, "Jeannin"). Applicants respectfully traverse this rejection for at least the following reasons.

It is first noted that independent claim 1 recites:

"Device for creating summaries of multimedia documents comprising:

- a storage that stores multimedia documents,
- a viewing unit that enables a user to view a multimedia document stored on said storage,
- a weighting module that automatically assigns a weight to each multimedia document stored on said storage according to a frequency with which the stored multimedia documents are viewed by the user, and
- a summary creation module that creates a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document, wherein each summary summarizes contents of a multimedia document."

As indicated above, independent claim 1 recites a device for creating summaries of multimedia documents. The device comprises a storage that stores multimedia documents, a viewing unit that enables a user to view a multimedia document stored on the storage, a weighting module that automatically assigns a weight to each multimedia document stored on the storage according to a frequency with which the stored multimedia documents are viewed by the user, and a summary creation module that creates a summary of the multimedia documents stored on the storage according to the

weight assigned to each multimedia document, wherein each summary summarizes contents of a multimedia document. Independent claim 8 recites features similar to independent claim 1, but is drafted in method format.

Neither Schlack nor Jeannin, whether taken individually or in combination, discloses or suggests each and every feature recited by independent claims 1 and 8.

The primary reference, Schlack, is generally directed to the creation of user profiles. As described in column 13, lines 30-34 of Schlack, "... *the viewer profiles 293 can be used for a variety of purposes including, but not limited to, delivering targeted content including advertising and for distinguishing a particular viewer from a household of multiple viewers.*" However, Schlack fails to disclose or suggest, *inter alia*, the feature of creating summaries of multimedia documents in an automatic manner, as claimed. This feature is described, for example, on page 2, lines 17-23 of Applicants' specification as follows:

"Thus, the user does not transmit his preferences to the device. His preferences are observed by the device according to the number of times the stored documents are accessed. In this way, the device automatically creates summaries of the stored documents according to how many times the documents are accessed, and therefore of the preferred documents, since a user will more frequently access the documents that he prefers and rarely access the documents that he does not like."

Moreover, Schlack also fails to disclose or suggest, *inter alia*, the feature of creating summaries of multimedia documents according to a weight assigned to each multimedia document, as claimed.

Jeannin is unable to remedy the deficiencies of Schlack. In particular, Jeannin discloses a method for creating summaries using keyframes in videos to summarize content. However, Jeannin is silent on any relationship between the creation of a summary and the user profile. Jeannin discloses the creation of video summaries by extracting key frames, but not according to a weight assigned to each multimedia

document, wherein the weight is assigned according to the frequency with which the stored multimedia documents are viewed by the user, as claimed.

Therefore, neither Schlack nor Jeannin discloses the use of a user profile to create summaries of multimedia documents. When combining Schlack with Jeannin, a person skilled in the art is not taught to create a video summary of viewed content according to the way the user looks at the content. When combining Schlack with Jeannin, nothing suggests the desirability of observing user preferences to create video summaries according to a user profile, and especially nothing suggests the desirability of “a summary creation module that creates a summary of the multimedia documents stored on said storage according to the weight assigned to each multimedia document”, as recited for example by independent claim 1.

There is no link between Jeannin and Schlack which could lead to the combination of features provided by independent claims 1 and 8. The two references concern a totally different field so that their combination would lead to, on one side, a method for observing a user and providing a profile and, on the other side, a method for providing a summary of documents based on keyframes. When combined together, there is no hint to transform the summary creation of Jeannin based on keyframes into a device for creating summaries of multimedia documents, where the summaries are created according to weights assigned to each multimedia document, and the weights are assigned to each multimedia document according to the frequency with which the multimedia documents are viewed by the user, as claimed by the Applicants.

Therefore, even if the teachings of Schlack and Jeannin are combined, as proposed, the resulting combination still does not disclose or suggest each and every feature of independent claims 1 and 8 (and dependent claims 2-7 and 9).

Accordingly, for at least the foregoing reasons, Applicants submit that claims 1-9 are patentable under 35 U.S.C. §103(a) over the proposed combination of Schlack and Jeannin, and withdrawal of the rejection is respectfully requested.

Conclusion

For at least the foregoing reasons, it is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intention to concede any issue with regard to any claim, except as specifically stated in this paper.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks/arguments, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (540) 374-8400, so that a mutually convenient date and time for a telephonic interview may be scheduled. If not previously charged, please charge the fee for the one (1) month extension of time to Deposit Account No. 07-0832.

Respectfully submitted,

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